

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,	:	
	:	
	:	
Plaintiff,	:	
	:	10 Civ. 3229 (KBF)
v.	:	
	:	ECF Case
FABRICE TOURRE,	:	
	:	
	:	
Defendant.	:	

**NOTICE OF SEC'S MOTION *IN LIMINE* TO PRECLUDE JURY ARGUMENT THAT
SWAP AGREEMENT WAS NOT A "SECURITY-BASED SWAP AGREEMENT"**

Pursuant to Rule 403 of the Federal Rules of Evidence and the Court's inherent power, the Securities and Exchange Commission moves the Court to preclude the defense from arguing to the jury that the credit default swap agreement between ABN AMRO Bank, N.V. and an affiliate of ACA Capital Holdings, Inc. was not a "security" or "security-based swap agreement." The reasons supporting this motion are stated in the accompanying Memorandum of Law.

Dated: Washington, D.C.
June 18, 2013

Respectfully submitted,

/s/ Matthew T. Martens

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CERTIFICATE OF SERVICE

I certify that on June 18, 2013, I directed the foregoing NOTICE OF SEC’S MOTION *IN LIMINE* TO PRECLUDE JURY ARGUMENT THAT SWAP AGREEMENT WAS NOT A “SECURITY-BASED SWAP AGREEMENT” to be hand delivered and electronically filed using the CM/ECF system, which will send notification of such filing to the following email addresses:

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